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January 13, 2020

VIA ECF

Hon. Paul A. Engelmayer
United States District Court
Southern District of New York
40 Foley Square, Room 1305
New York, New York 10007

Re: Airbnb, Inc. v. The City of New York, 18 CV 7712 (PAE)
HomeAway.com, Inc. v. City of New York, 18 CV 7742 (PAE)

Your Honor:

On behalf of Defendant City of New York (“City”) in the above-referenced consolidated actions, and pursuant to section 1(E) of the Court’s Individual Rules and Practices in Civil Cases, I write to request a two-week extension of the deadline to file the City’s motion for summary judgment from January 17, 2020 to January 31, 2020. As a result, the City proposes the following revised summary judgment briefing schedule: (i) January 31, 2020 for its motion for summary judgment; (ii) February 28, 2020 for Plaintiffs’ opposition papers and cross-motions for summary judgment; (iii) March 20, 2020 for the City’s opposition papers and reply; and (iv) April 3, 2020 for Plaintiffs’ reply papers. This is the second request by the City to extend the summary judgment briefing schedule. Plaintiffs consent to this request.

The City submits that its extension request is reasonable and necessary. As this Court is aware, the parties needed three extensions of the deadline to file the Joint Statement of Undisputed Facts (“Joint Statement”). That 221-page document, which is integral to the parties’ respective summary judgment motions, was only completed and filed with the Court on December 18, 2019. In addition, in my November 22, 2019 letter requesting an extension of the Joint Statement filing deadline (Dkt. No. 134), I previously advised the Court that I would be out of the country on vacation from December 5, 2019 to December 9, 2019 and December 24, 2019 to January 1, 2020. Finally, due to a medical issue, my co-counsel Carlos F. Ugalde Alvarez’s ability to work over the past two weeks was unfortunately impacted. For the foregoing reasons, the City submits that it would be considerably prejudiced in its briefing of this important case were this brief extension not granted. Furthermore, as there is a preliminary injunction currently

in effect, Plaintiffs will not be prejudiced by this extension. Thus, the City respectfully requests that its request for a two-week extension be granted.

Respectfully submitted,

/s/

Karen B. Selvin
Assistant Corporation Counsel

cc: Plaintiffs' Counsel of Record (via ECF)

1/14/2020

Granted.

SO ORDERED.



PAUL A. ENGELMAYER
United States District Judge